

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

CHARLES JORDAN, JR., )  
Appellant, )  
v. ) CIVIL ACTION NO. 5:17-CV-255 (MTT)  
U.S. BANK, NA, )  
Appellee. )  
\_\_\_\_\_  
)

**ORDER**

Appellant Charles Jordan, Jr. noticed his appeal of an order of United States Bankruptcy Judge Austin E. Carter on July 5, 2017. Doc. 1. Appellant, under Federal Rule of Bankruptcy Procedure Rule 8018(a)(1), was required to “serve and file a brief within 30 days after the docketing of notice that the record ha[d] been transmitted or is available electronically.” On August 17, the Clerk of Court sent a letter to the parties, advising the parties of their briefing duties as outlined by Rule 8018. Doc. 3. As of November 2, 2017, which is 78 days after the Notice of the Bankruptcy Appeal Record was docketed, Appellant has not filed his brief. See Doc. 2 (Notice of Bankruptcy Appeal Record, filed on August 16, 2017). On September 29, the Court ordered Appellant to, within 14 days, show cause why his case should not be dismissed for failure to timely file his brief. Doc. 5. As of November 2, which is 34 days after the Court ordered Appellant to show cause, Appellant has not responded to the Court’s order. Doc.

5 at 1-2. Because Appellant has failed to timely file his brief despite notice that this failure would result in dismissal of his case, Appellant's appeal is hereby **DISMISSED without prejudice**. See Fed. R. Bankruptcy P. 8018(a)(4) ("If an appellant fails to file a brief on time or within an extended time authorized by the district court . . . the district court, . . . after notice, may dismiss the appeal on its own motion.").

**SO ORDERED**, this 3rd day of November, 2017.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT